

Serial No. 10/617,653
Reissue Application of U.S. 6,132,851

Docket No. GOURP0364USA

REMARKS

The present Reply is submitted in response to the Office Action mailed 23 May 2005. In the Office Action, the claims of the reissue application were rejected based on an allegedly defective reissue declaration. In addition the preliminary amendment filed with the reissue application was objected to as failing to comply with 37 CFR 1.173(b).

Patentee submits herewith a new Reissue Application Declaration by the Assignee. The new Reissue Declaration includes a proper statement of the error upon which reissue is based. Specifically, a separate sheet is added which clearly specifies the error, consistent with the amendments to the specification and to claim 4 submitted herewith, upon which reissue is based.

Accordingly, Patentee respectfully requests acceptance of the Reissue Declaration.

Patentee hereby offers to surrender the original patent, in accordance with 37 CFR 1.178(a). Patentee will submit the original letters patent upon request by the Office.

Patentee submits herewith amendments to the specification and to claim 4, both of which are believed to fully comply with 37 CFR 1.173(b). Entry of the presently submitted amendments is respectfully requested.

In addition, Patentee respectfully requests allowance of the amended reissue claims and allowance of the reissue application.

Additional Remarks in Support of Reissue

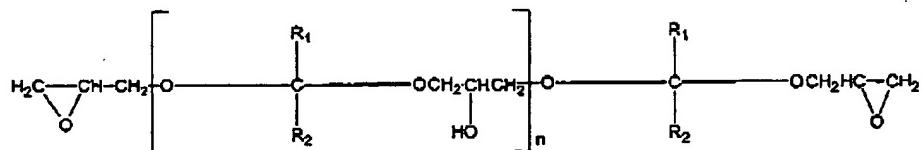
The following is repeated from the Preliminary Amendment filed with the original filing of the present reissue application, and is re-presented here for the sake of completeness.

Patentee respectfully requests correction of U.S. Patent No. 6,132,851 as shown and for the reasons set forth herein.

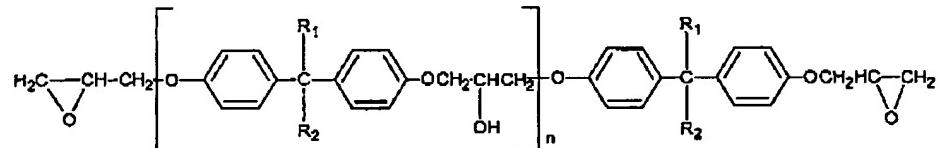
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The structure shown for the difunctional epoxy resin (B-1) represented as Formula (II) at column 3, line 1 and in dependent claim 4 at column 10, line 8 in the above-identified U.S. Patent 6,132,851 (the "Patent") is erroneous. The erroneous structure in the Patent is shown as follows.



The correct structure for Formula (II), which differs by the insertion of four phenylene rings in the structure, is as follows:

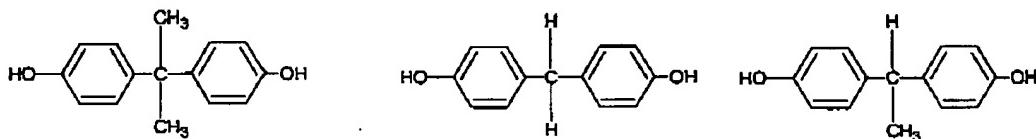


Support for the correct Formula (II) is in the specification as originally filed as follows. First, the specification at column 3, lines 19 - 25 provides examples of commercially available difunctional epoxy resins including DER 661, DER 664 and DER 667 (each a product of Dow Chemical Company). Each product is identified as having Chemical Abstracts Service (CAS) registry number 25036-25-3. CAS defines this compound as Phenol, 4,4'-(1-methylethylidene)bis-, polymer with 2,2'-[1-methyl-ethylidene]bis-(4,1-phenyleneoxymethylene)]bis[oxirane]. The correct structural formula for this compound is depicted by the correct Formula (II) shown above. For this reason alone, the correction of Formula (II) to that shown above is fully supported and defined by the specification, as would be understood by a person of skill in the art.

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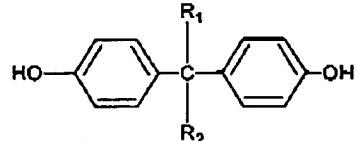
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Second, the specification at column 3, lines 14-15 provides examples of compounds represented by the difunctional epoxy resin including bisphenol A (2,2-bis(hydroxyphenyl)propane), bisphenol F (bis(4-hydroxyphenyl)methane) and bisphenol

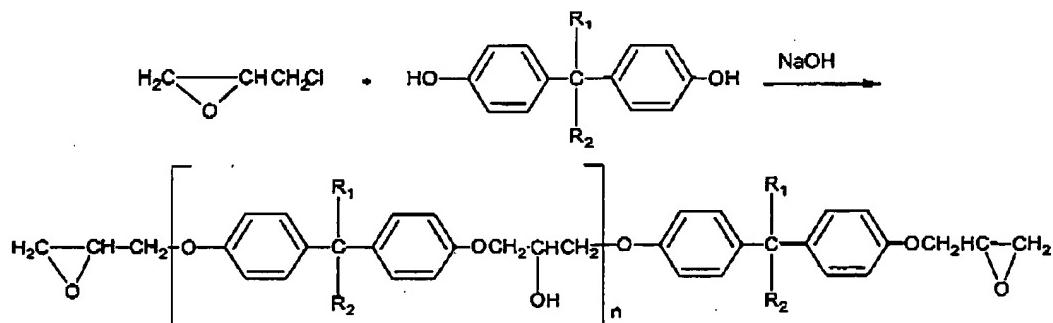


AD (1,1-bis(4-hydroxyphenyl)ethane). Each is respectively represented by the following formulae:

A generic bisphenol is thus represented by the following formula.



In a two step reaction, bisphenol and an epoxy liquid resin such as 2-(chloromethyl)oxirane react to form the formula identified by CAS number 25036-25-3.



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The above reaction sequence and the difunctional epoxy resin product are well known in the art. See, for example: U.S. Patent No. 6,248,401 column 10, line 60 to column 11, line 26; U.S. Patent No. 5,709,957 column 10, line 56 to column 11, line 20; U.S. Patent No. 5,629,098 column 2, line 47 to column 3, line 17; and U.S. Patent No. 5,525,433 column 2, line 47 to column 3, line 17; each of which similarly describes the difunctional epoxy resin and depicts the correct structural formula that should properly be represented by Formula (II) in the Patent. The specification therefore describes, identifies and provides full support for the corrected Formula (II). One skilled in the art could only identify the corrected formula as provided by this amendment.

Patentee submits that the original formula was drawn in error. In the original application at page 4, line 1 and page 15 line 23, it may be noted that the simple atoms within the formula were typed and that bonded regions were hand drawn. There are four unusually large spaces (in the incorrect formula represented as carbon-oxygen bonds) where phenylene rings should have been hand-drawn but were not, thus leading to the incorrect Formula (II). It if had been intended to draw the structure without the phenylene rings, no such extended ether "bonds" would have been shown in the original, incorrect structure since each "...O----C----O..." portion would have been represented in the formula simply as "...OCO...". Patentee therefore submits that the application shows four areas in which four phenylene rings were to be hand-drawn and were inadvertently omitted. If the rings were inserted in each of these positions, the structure would have been represented as the correct Formula (II) and properly supported by the specification.

For these reasons, Patentee respectfully submits that the corrected formula is supported by the original specification, that only the corrected formula comports with the description in the specification and that the formula as it is currently represented is plainly incorrect. For the reasons set forth herein, the amendment is not new matter.

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Applicant requests that a reissue patent be granted incorporating the foregoing correction.

In the event issues arise as a result of the filing of this paper, or remain in the prosecution of this application, Patentee requests that the Examiner telephone the undersigned attorney to expedite allowance of the application. Should a Petition for Extension of Time be necessary for the present Reply to the outstanding Office action to be timely filed (or if such a petition has been made and an additional extension is necessary) petition therefor is hereby made and, if any additional fees are required for the filing of this paper, the Commissioner is authorized to charge those fees to Deposit Account #18-0988, Docket No. GOURP0364USA.

Respectfully submitted,

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